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FCC Agrees To More Fully Consider Impact On Small Business

Result Of Settlement With Advocacy In Number Portability Case

WASHINGTON, D.C. – The Federal Communications Commission (FCC) has agreed to work with the Office of Advocacy and more fully consider impacts on small business. This understanding was reached as part of settlement discussions between Advocacy and the FCC regarding the case of *United States Telecom Association, et al., v. the Federal Communications Commission, et al.*

In the settlement, the Office of Advocacy agreed to withdraw its intent to file an *amicus curiae* brief in the case. In addition to working with Advocacy, the FCC agreed to urge state regulators to consider the concerns of small rural telecom providers that seek waivers to the new portability rules. The FCC will also examine the impact of its policies on small business in upcoming proceedings.

“I am pleased that Chairman Powell is taking steps to accommodate small business concerns,” said Thomas M. Sullivan, Chief Counsel for Advocacy. “While we continue to support the small business petitioners, the accommodations provide a reason for Advocacy not to file an *amicus* brief,” he added.

The continuing case involves a Regulatory Flexibility Act (RFA) challenge to an FCC memorandum opinion and order on telephone number portability. The small business plaintiffs contend that the FCC did not fulfill its obligations under the RFA by not considering the impact of its rule on small business and by not considering alternatives to reduce its burden.

Advocacy will work closely with the FCC to ensure that the settlement terms are implemented, and that the voice of small business is heard in FCC deliberations. These small business accommodations are in addition to any remedies that may be ordered in the case.

The Office of Advocacy, the “small business watchdog” of the government, examines the role and status of small business in the economy and independently represents the views of small business to federal agencies, Congress, and the President. It is the source for small business statistics presented in user-friendly formats and it funds research into small business issues.

For more information, visit the Office of Advocacy website at www.sba.gov/advo.

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Created by Congress in 1976, the Office of Advocacy of the U.S. Small Business Administration (SBA) is an independent voice for small business within the federal government. Appointed by the President and confirmed by the U.S. Senate, the Chief Counsel for Advocacy directs the office. The Chief Counsel advances the views, concerns, and interests of small business before Congress, the White House, federal agencies, federal courts, and state policy makers. Economic research, policy analyses, and small business outreach help identify issues of concern. Regional Advocates and an office in Washington, DC, support the Chief Counsel's efforts. For more information on the Office of Advocacy, visit www.sba.gov/advo, or call (202) 205-6533.